

HOUSE BILL 2452

By Davidson

AN ACT to amend Tennessee Code Annotated, Title 12, Chapter 6, Part 1, relative to certain state publications.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 12-6-108, is amended by deleting the section in its entirety and substituting instead the following:

Section 12-6-108.

(a) As used in this part:

(1) "Publication of record" means any state publication, regardless of format, that is of permanent value for public reference and which is essential to the re-creation of the operations of state government agencies and their legal and financial status. "Publications of record" shall include, but not be limited to, the acts and journals of the general assembly, reports of the supreme court, annual reports of officers of the state, directories, budget documents, bibliographies, laws, bills, rules, regulations, external newsletters and bulletins, state plans, periodicals and magazines, special studies, journals, statutes,

codes, pamphlets, court reports and opinions, attorney general reports and opinions, guides, maps, charts, including any of these items produced in a non-print format.

(2) "Non-Essential publications" mean those state publications which are not needed for permanent public reference and access. "Non-Essential publications" include, but are not limited to, correspondence and inter-office memoranda, e-mail, catalogs, flyers, folders, greeting cards, handbooks, invitations, manuals, working plans and documents, stationery, business cards, letterhead, federal reprints, news releases, rosters, minutes of meetings, constantly changing portions of state agency Websites, informational or statistical databases, software programs, working papers and other ephemera.

(b) Publications of record are of permanent retention value for public reference and access and, therefore, shall be kept in all official state depositories. Non-essential publications are not needed for permanent public reference and access and, therefore, are not required to be retained in state depositories.

SECTION 2. Tennessee Code Annotated, Section 12-6-110, is amended by deleting the section in its entirety and substituting instead the following:

12-6-110. It is the responsibility of the originating agency to identify its publications of record, as defined in §12-6-108 (a)(1), and to ensure that copies of such records are deposited. At the expense of the originating department, agency, board or commission, the person in charge of making the publication of record, regardless of the original format, shall furnish or have furnished two (2) printed copies directly to the librarian or person in charge of each of the depositories.

SECTION 3. This act shall take effect on July 1, 2002, the public welfare requiring it.